

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING -July 11, 2002
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1 - 82*)

Members: Henry P. Szymanski (*voting on items 1 - 82*)
Scott R. Winkler (*voting on items 1 - 82*)
Catherine M. Doyle (*voting on items 1 - 46, 50 - 59 & 62 - 82*)
Roy B. Nabors (*voting on items 1 - 78 & 80 - 82*)

Alt. Board Members: Georgia M. Cameron (*voting on items 47 - 49, 60, 61, & 79*)

START TIME: 2:20 p.m.

End Time: 8:35 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	24059 Special Use	Donna M. Ivory, Property Owner Request to occupy the premises as a temporary shelter for up to 8 girls, ages 7-12.	6529-31 N. 52nd St. 9th Dist.
Action:		Adjourned	
Motion:		This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	23604 Special Use	Kuldip, Inc., Prospective Buyer Request to construct a car wash and laundromat addition to the existing gas station and convenience stores at 1009 S. 1st Street.	117 W. Mineral St. A/K/A 1009 S. 1st St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Herny Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no out door storage or display of products or merchandise. 5. That there is no out door display of banners or other advertising except that which has been previously approved. 6. That a fence or some other physical barrier be installed along the alley to prevent direct access to the alley from this site. 7. That landscaping and screening plans are upgraded to include a 6 foot high wood fence along the western property line from the southern edge of the building to the alley to provide screening for the residence to the west. 8. That site illumination is controlled to prevent glare onto adjacent streets and residences. 9. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 10. That the car washing facility remain closed between the hours of 10:00 p.m. and 6:00 a.m. 11. That this Special Use is granted for a period of time commencing with the date hereof and expiring on April 17, 2009. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	24124 Dimensional Variance	Janice Murchison, Lessee Request to occupy the premise as a group foster home for 7 children.	4547 N. 24th Pl. 1st Dist.
	Action:	Granted 1 yr.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of one (1) year, commencing with the date hereof.	
4	23986 Special Use	Kalim Beg, Prospective Buyer Request to construct a motor vehicle pumping station with a convenience store and type 'B' restaurant on the premises.	5505 W. Lisbon Av. A/K/A 5505 - 25 W. Lisbon Ave. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	24332 Dimensional Variance	Eric Trawitzki, Property Owner Request to convert the existing single family residential dwelling into a duplex.	2965 N. Booth St. 6th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	24191 Dimensional Variance	John P. Sahagian, Property Owner Request to occupy the rear portion of the premise as a residential dwelling.	3001A S. Kinnickinnic Av. A/K/A 3001-03 S. Kinnickinnic Ave 14th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
7	23973 Special Use	House of Healing Full Gospel Church Ministries, In d/b/a House of Healing;Lessee Request to occupy the premises as a church.	4431 W. North Av. A/K/A 4425-31 W. North Ave. 17th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
8	24270 Special Use	Clarissa McGee Kidz Day Care Center;Lessee Request to occupy the premises as a day care center for 8 children, ages 1-12 years, Monday through Friday 7 AM to 10 PM, and Saturday 9 AM to 5 PM.	2436 N. 33rd St. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
9	24294 Special Use	Antoinette Redd, Property Owner Request to demolish the existing structure and construct a type 'B' restaurant with a drive-thru.	4228 W. Burleigh St. A/K/A 4220-22 W. Burleigh St. 7th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	24241 Special Use	Jennifer DuCharme, Property Owner Request to occupy the premise as a 24hr day care facility for 8 children, newborn-12yrs.	1501 W. Greenfield Av. 12th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
11	24226 Special Use	Mark McCormick Woodward Street LLC;Prospective Buyer Request to occupy a portion of the premise as a day care center for 30 children, 6wks-12yrs, Monday-Friday 6:30am-5:30pm.	2392 S. Woodward St. 14th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
12	24346 Extension of Time	Eula M. Jones Request to comply with the conditions of Case No. 23522.	5200 N. 51st St. 1st Dist.
	Action:	Granted 6 months	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
13	24199 Special Use	Clifford Weddle, Lessee Request to continue occupying the premises as a motor vehicle salvage, repair and sales facility.	4030 W. Douglas Av. 9th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Department of City Development and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	24320 Special Use	Silver Spring Neighborhood Center Lessee Request to temporarily (1 year) occupy the premises as a day care center and social service facility (community center).	5151 W. Silver Spring Dr. A/K/A 5555 N. 64th St. 9th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. Occupancy permits are obtained and the applicant complies with all State commercial code requirements for day cares and social service facilities. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	
15	24287 Use Variance	Andre Robertson Gospel Beauty & Barber Shop; Lessee Request to occupy the premise as a personal service facility (beauty & barber shop).	3911 N. 27th St. A/K/A 3901-11 N. 27th St. 10th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all security gates are removed from the building. 5. That this Variance is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	24295 Special Use	David J. Butler, Lessee Request to occupy the premise as a an antique store(collectibles). Action: Granted 3 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	6019 W. Howard Av. 11th Dist.
17	24326 Dimensional Variance	Esperanza Unida Pat Miller; Property Owner Request to construct an 8 ft. fence without the required setback. Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	1329 W. National Av. A/K/A 1329-31 W. National Ave. 12th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	24297 Special Use	Don Jacobs Milwaukee Mitsubishi LLC Andy Haros, c/o Don Jacobs Toyota; Lessee Request to construct a motor vehicle repair and sales facility.	5777 S. 27th St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code adopted by the Common Council (file # 991763).</p> <p>5. That signage must meet the sign standards of s. 295-407 of the Milwaukee Zoning Code adopted by the Common Council (file # 991763).</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	24325 Special Use	Community Financial, Lessee Request to continue occupying the premise as a currency exchange.	3256 S. 27th St. A/K/A 3256-70 S.27th St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all other previous Board conditions are complied with. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
20	24301 Dimensional Variance	Isaac Robinson Kathleen A. Robinson; Request to construct a carport as an addition to an existing garage.	3841 S. Lenox St. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	24312 Dimensional Variance	Gerald McAdams, Property Owner Request to remodel the existing residential dwelling without the required front setback.	2637 S. Shore Dr. 14th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
22	24322 Special Use	William J. Gorton PCS INC.;Prospective Buyer Request to expand the existing motor vehicle pumping station and convenience store to include a car wash.	10801 W. County Line Rd. 15th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the applicants request and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	24364 Special Use	Bulk Petroleum Corp., Property Owner Request to occupy the premises as a motor vehicle pumping station (increasing the number of pumps) and convenience store.	10505 W. Brown Deer Rd. A/K/A 10501 W. Brown Deer Rd. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous Board conditions regarding this site are complied with. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on May 15, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	24302 Special Use	Doris J. Pinkney Daughters of Father Child Dev.Christian Learn.Cntr;Prospective Buyer Request to to occupy the premises as a day care center for 20 children, ages 6 weeks to 12 years, Monday through Friday 6 AM to 6 PM.	1726 W. Lloyd St. 17th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy permit and complies with current State commercial code for day cares. 5. That the front overhead door is removed and infilled with block similar to the existing exterior. 6. That the driveway is closed and restored with curb and gutter. 7. That wall signage is limited to a maximum of 25 square feet each for the south and west building elevations. 8. That banner signs are not utilized. 9. That a fenced on-site play area of at least 1,000 square feet is developed. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	24315 Special Use	Joseph F. Tompkins, Lessee Request to extend the hours from 6:00 pm to 12:00 am of the existing day care center.	1218 W. Walnut St. 17th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized after 8:00 p.m. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on May 30, 2010. 	
26	24316 Special Use	Mike Moriarty, Property Owner Request to expand the nonconforming rooming house to include the third floor.	1621 W. Kilbourn Av. 17th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant obtains a State variance and installs all the code required equivalent safety measures prior to occupancy. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	24291 Special Use	Robert B. Pyles, Franchisee Request to continue occupying the premise as a type 'B' restaurant with a drive-thru.	5025 W. Hampton Av. A/K/A 4778 N. 51st St. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That all previous conditions of the Board regarding this property are complied with. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	
28	24298 Use Variance	Douglas Savage & Stephanie Bloomingdale, Property Owner Request to construct a driveway on the side setback of the residential dwelling unit.	1657 N. Franklin Pl. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	24324 Special Use	Guardian Angel Learning Center Inc. Lessee Request to continue occupying the premise as a day care center for 125 children. Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy permit and complies with current State commercial code for day cares. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	1524-46 N. Jefferson St. 3rd Dist.
30	24317 Dimensional Variance	William Walker, Property Owner Request to construct an addition to the existing residential dwelling without the required lot coverage. Action: Adjourned Motion: This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	5720 N. 77th St. 5th Dist.
31	24329 Dimensional Variance	Herbert F. Hohnke, Property Owner Request to construct a front yard porch without the required setback. Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	3709 N. 84th St. 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	24348 Special Use	Patricia Campbell Pattycake Children's Center; Lessee Request to extend the hours of operation from 6:00 am to 12:00 am of the existing day care center for 50 children, ages 6 wks. - 12 yrs.	4517-19 W. North Av. 17th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized after 8:00 P.M. 5. That all other Board approved conditions regarding this site are complied with. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on August 3, 2004. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
33	24293 Special Use	Tracy Glass, Lessee Request to occupy the premise as a day care center for 20 children, 6wks-12yrs, Monday-Friday 6:00am-10:00pm.	5315-17 W. Center St. A/K/A 5311-17 W. Center St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy permit and complies with current State commercial code for day cares.</p> <p>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>6. That signage is limited to the sign bands above the storefront windows.</p> <p>7. That the outdoor play area is not utilized after 8:00 P.M.</p> <p>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	
34	24250 Special Use	Darshan Dhaliwal Bulk Petroleum Corp.; Property Owner Request to continue occupying the premises as a motor vehicle pumping station with the expansion of the convenience store.	1909 W. Hopkins St. 7th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned by staff and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	24081 Special Use	Bulk Petroleum, Property Owner Request to continue occupying the premise as a motor vehicle pumping station, with the addition of an ethanol pump(to fuel a fleet of vehicles).	2426 N. Farwell Av. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That there is no outdoor storage or display of products or merchandise. 5. That there is no outdoor display of banners or other advertising except that which is approved and on the site plan. 6. That the site is developed in accordance with the plan received by the Board of Zoning Appeals on June 20, 2002 to include a masonry wall along the West Farwell Avenue and North Maryland Avenue frontages. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	24304 Dimensional Variance	Milwaukee Midtown Housing Corp. Prospective Buyer Request to construct a residential dwelling without the required front setback.	2800-02 W. Vliet St. 4th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That a decorative metal fence is installed along the street frontage. 5. That the front setback is landscaped with trees and shrubs. 6. That this Variance is granted to run with the land.	
37	24200 Dimensional Variance	Hriam LLC, Lessee Request to occupy the premise as a community living arrangement for 8 adults.	5363 N. 37th St. A/K/A 5363-75 N. 37th St. 9th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of two (2) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	24221 Special Use	Jasdev Singh Midway Gas, Inc.;Property Owner Request to continue occupying the premise as a motor vehicle pumping station with the addition of a car wash.	7537-49 N. Teutonia Av. 9th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner implement site improvements including landscaping, screening and identifiable pedestrian link in accordance with plans as submitted to the Department of City Development on June 3, 2002.</p> <p>5. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code</p> <p>6. That site illumination is controlled to prevent glare onto adjacent streets and residences.</p> <p>7. That all banner signs and portable signs are removed</p> <p>8. That free standing signage is restricted to the existing pylon sign located in the south east corner of the site, and that height and the sign area of this sign not be increased.</p> <p>9. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>10. That there is no outdoor storage or display of products or merchandise.</p> <p>11. There is no outdoor display of banners or other advertising except that which is approved and on the site plan.</p> <p>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	24164 Dimensional Variance	Michael Wallk, Property Owner Request to construct a 1109 sq. ft. addition to the existing garage.	5700 N. 61st St. A/K/A 5700-02 N 61st St. 9th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
40	24260 Special Use	Wendell J. Harris, Property Owner Request to occupy the premise as a day care facility for 8 children, 6wks-12yrs, Monday-Friday 6:00am-5:00pm.	3402-04 N. 40th St. 10th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	
41	24196 Special Use	Henry Watson Sr., Property Owner Request to occupy the premise as a church without the required parking.	3300 W. Burleigh St. 10th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn this appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	24280 Special Use	Cynthia Coleman, Property Owner Request to occupy the premise as a day care center for 40 children, 6 mo.-12 yrs, Monday-Friday 6:00am-11:00pm.	2300-10 W. Hopkins St. 10th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy permit and complies with current State commercial code for day cares. 5. That the parking area north of the building is paved. 6. That a loading zone permit is obtained along West Hopkins Street. 7. That signage conforms to the sign standards of the Milwaukee Zoning Code adopted by the Common Council (file # 991763). 8. That the storefront windows are restored to clear glass and are maintained in an attractive manner. 9. That the outdoor play area is not utilized after 8:00 P.M. 10. That the outdoor play area is separated from any parking area by some type of physical barrier such as bollards. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	24202 Special Use	Rev. Efrain Hernandez Property Owner Request to occupy the premise as a church without the required parking. Action: Granted 3 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a landscaping and screening plan for the parcel at 1570 W. Greenfield, meeting the intent of s.295-75 and which includes an urban edge treatment, is submitted to and approved by the the Zoning Administrative Group(ZAG) within forty five (45) days of the date hereof and prior to the issuance of any permits. 5. That the applicant must construct and have use of the seven parking spaces at 1570 W. Greenfield prior to the issuance of an occupancy permit. 6. That this Special Use and this Variance are granted for a period of three (3) years, commencing with the date hereof. 	1316 S. Cesar Chavez Dr. 12th Dist.
44	24310 Special Use	Chianti Clay, Lessee Request to occupy the premises as a recreational facility (teen dance hall).	851 W. Layton Av. A/K/A 841-81 W. Layton Ave. 13th Dist.
		Action: Adjourned Motion: Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	24234 Special Use	TeleCorp Realty LLC a.k.a SunCom Wireless;Prospective Buyer Request to construct a 150 ft. telecommunications tower on the premise.	2129 W. Morgan Av. 13th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny this appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
46	24311 Special Use	Abdul Khaliq AK Petroleum, Inc.;Property Owner Request to add a metal storage container (8 feet by 20 feet) to store merchandise to an existing motor vehicle pumping station & convenience store.	702 W. Oklahoma Av. A/K/A 700-702 W. Oklahoma Ave. 14th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny this appeal. Seconded by Herny Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
47	24109 Dimensional Variance	Carl A. Conrad, Property Owner Request to divide a parcel creating 2 lots one of which is less than the required minimum lot size (construct a single-family dwelling).	6151 N. 114th St. 15th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained. Georgia Cameron voting.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	24246 Special Use	Sharon Clay-Jones, Lessee Request to occupy the premise as a day care facility for 8 children, 6wks-12yrs, with extended hours Monday-Sunday 6:00am-12:00am.	5606 N. 94th St. A/K/A 9332-34 W. Silver Spring Dr. 15th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained. Georgia Cameron voting.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the play area not be utilized after 8:00 p.m.</p> <p>5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p>	
49	24264 Use Variance	Interweld, Inc., Lessee Request to occupy the premises as a recreational facility/social hall for dinners, dances, receptions & other social gatherings.	5839 N. 94th St. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained. Georgia Cameron Voting.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	24284 Special Use	Sheila Smith, Lessee Request to occupy the premises as daycare center for 40 children, 4mo.-12yrs, Monday-Friday 6:30am-6:00pm.	10732-36 W. Hampton Av. A/K/A 10722-10746 W. Hampton Ave. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy permit and complies with current State commercial code for day care centers.</p> <p>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>6. That the outdoor play area is separated from the alley by some type of physical barrier such as bollards.</p> <p>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	
51	24272 Special Use	US Cellular, Lessee Request to construct a 80' telecommunication tower on the premises.	5225 W. Vliet St. 16th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	24098 Use Variance	<p>Monique & Roosevelt Fisher d/b/a R & R Auto Repair; Lessee</p> <p>Request to occupy the premises as a motor vehicle repair center with body bumping and car sales.</p> <p>Action: Granted 1 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all proposed sign plans are submitted to and approved by the Zoning Administration Group (ZAG). 5. That the building owner properly record his ownership of the building with the Department of Neighborhood Services. 6. That there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 7. That there is no display of exterior banners or other advertising except that which is on the approved sign plan. 8. That this Special Use and this Variance are granted for a period of one (1) year, commencing with the date hereof. 	<p>1739 N. 35th St. A/K/A 1739-43 N. 35th St. 17th Dist.</p>
53	24290 Dimensional Variance	<p>Valerie King, Property Owner</p> <p>Request to occupy the premises as a small group shelter care facility for 8 girls.</p> <p>Action: Adjourned</p> <p>Motion: Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p>	<p>2047 N. 33rd St. 17th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	24237 Special Use	Corin F. Banks, Lessee Request to occupy the premises as a family day care home for 8 children, newborn - 12 yrs. of age, 6 a.m. - 11 p.m.	4908 N. 26th St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all signs be removed from the premises. 5. That the outdoor play area is not utilized after 8:00 P.M. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	24238 Special Use	Corin F. Banks, Lessee Request to occupy the premises as a day care facility for 8 children, new born-12 yrs, Monday-Friday 6:00am-11:00pm, and Saturday 7:00am-5:00pm.	4819 N. 36th St. A/K/A 4817-19 N. 36th St. 1st Dist.
	Action:	Granted 2 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all signs be removed from the premises.</p> <p>5. That the outdoor play area is not utilized after 8:00 P.M.</p> <p>6. That there are no neighborhood objections to the proposed late night hours of operation.</p> <p>7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	
56	24140 Special Use	Jacqueline Dickinson, Property Owner Request to occupy the premises as a day care facility for 17 children in units #1 and #2, 4 wks-11 yrs, Monday-Friday 6:00 am-11:30 pm.	1941 W. Hope Av. 1st Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	23891 Special Use	St. Charles Youth & Family Services Prospective Buyer Request to occupy the premises as a social service facility.	4757 N. 76th St. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	
58	24265 Special Use	Betty J. Ross My Little Loves One's Academy Daycare; Lessee Request to occupy the premises as a day care center for 53 children, ages 1 month to 12 years, Monday through Saturday, 24 hours per day.	6057 W. Fond du Lac Av. 2nd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy permit and complies with current State commercial code for day cares. 5. That Children under 24 months are not permitted in the lower level. 6. That the parking lot is configured so that there is no alley access. 7. That the driveway is constructed to provide for two-way traffic. 8. That the outdoor play area is not utilized after 8:00 P.M. 9. That the fenced outdoor play area is separated from the parking area and alley by some type of physical barrier such as bollards. 10. That the petitioner take all measures necessary to control litter, loitering, parking related concerns and loud noise on the premises, including, but not limited to, hiring private personnel. 11. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	24378 Appeal of an Order Denied	Foundation Ministries, Lessee Request to appeal an order of the Department of Neighborhood Services determining the occupancy to be operating outside of the Board approved hours.	6815 W. Capitol Dr. 2nd Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to uphold the order. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
60	24279 Dimensional Variance	Bell Therapy Inc., Property Owner Request to continue occupying the premises as a Community Based Residential Facility (CBRF) (6 developmentally disabled adults).	6105 W. Keefe Avenue Pk. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained. Georgia Cameron voting.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of three (3) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	24292 Dimensional Variance	Creative Community Living Services Inc. Property Owner Request to occupy the premise as a Community Based Residential Facility (CBRF) for 6 individuals (developmentally disabled).	4041 N. 72nd St. A/K/A 4041-43 N. 72nd St. 2nd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained. Georgia Cameron voting.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Variance is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	24303 Use Variance	TeleCorp Realty LLC Request to construct a 100 ft. monopole tower (flag pole) on the premises.	4051 N. 53rd St. A/K/A 5310 W. Capitol Dr. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That an American flag of significant size (as shown in the rendering submitted) is regularly flown from the flag pole.</p> <p>5. That landscape plans that meet the intent of s.295-14-17 are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	
63	24323 Special Use	Latonia Jackson Hazel Jackson;Property Owner Request to occupy the premises as a day care center for 16 children, newborn-10yrs, Monday-Friday 6:30am-6:00pm.	4536 N. 50th St. 2nd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	24110 Special Use	Mirza Fahim Beg, Property Owner Request to construct a new motor vehicle pumping station & convenience store and new car wash.	7110 W. Lisbon Av. 2nd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That there is no outdoor storage or display of products or merchandise.</p> <p>5. That there is no outdoor display of banners or other advertising except that which is approved and on the site plan.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>7. That Luminaire specifications, as well as a site photometric plan which illustrates that site illumination will be controlled to prevent glare and light spillage onto adjacent streets and residences must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>8. That the pylon sign proposed for the western corner of the site shall be limited to a maximum height of 14 feet and a maximum sign area of fifty (50) square feet.</p> <p>9. That wall signage for the pumping station / convenience store is limited to a maximum total of fifty (50) square feet.</p> <p>10. That wall signage for the proposed retail building on the eastern portion of the site is limited to a maximum total of fifty (50) square feet.</p> <p>11. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphenelia not be sold on the premises.</p> <p>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	24258 Special Use	Zeta Zeta Chapter of Tau Kappa Epsilon Fraternity Property Owner Request to continue occupying the premises as a fraternity house for 7 college students without the required parking.	3321 N. Oakland Av. 3rd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are maintained. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	24177 Use Variance	United States Cellular, Lessee Request to replace the existing mono-pole with a new transmission tower attached to the existing structure.	2275 N. Lincoln Memorial Dr. 3rd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes - Winkler, Szymanski & Zetley 2 Nays - Doyle & Nabors	
67	24229 Special Use	Nick Antzoulatos, Property Owner Request to occupy the premise as a used motor vehicle sales facility.	8138-44 W. Appleton Av. 5th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned by staff and will be rescheduled at the next available hearing.	
68	24192 Special Use	Priya Corp., Lessee Request to continue occupying the premises a motor vehicle pumping station with an increase in operational hours (24).	4801 N. 76th St. 5th Dist.
	Action:	Denied	
	Motion:	Catherine Doyle moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	24252 Special Use	<p>Teen Challenge, Lessee</p> <p>Request to continue occupying the premises as a rooming house with an increase in the number of clients from 20 to 28.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Catherine Doyle moved to grant the appeal. Seconded by Roy Nabors.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all other Board approved conditions regarding this site are maintained. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	9222-36 W. Appleton Av. 5th Dist.
70	24285 Special Use	<p>Teen Challenge, Lessee</p> <p>Request to include detailing and whole sale of motor vehicles to the existing motor vehicle sales and repair facility.</p> <p>Action: Adjourned</p> <p>Motion: Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval: --</p>	9246 W. Appleton Av. 5th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	24299 Special Use	LaTanya Jenkins, Lessee Request to occupy the premises as a day care center for 40 children, 6wks-12yrs, Monday-Friday 6:00am-11:30pm.	3489 N. 76th St. 5th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy permit and complies with current International Building Code for educational and institutional facilities. 5. That the parking area is configured so that there is no alley access. 6. That the driveway is constructed to provide for two-way traffic. 7. That signage conforms to the sign standards of the Milwaukee Zoning Code adopted by the Common Council (file # 991763). 8. That the outdoor play area is not utilized after 8:00 P.M. 9. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 10. That Landscaping and screening plans for the proposed parking area need to be submitted which meet the intent of s.295-405 of the Milwaukee Zoning Code adopted by the Common Council (file # 991763). 11. That the fence around the play area is opaque. 12. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	24256 Dimensional Variance	Katy Haney, Property Owner Request to occupy the premises as a group foster care facility for 8 children.	919 W. Keefe Av. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of two (2) years, commencing with the date hereof.	
73	24197 Dimensional Variance	Kurt Hoffmann, Property Owner Request to construct an attached garage without the required setback.	612 E. Glover Av. 6th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Roy Nabors.	
	Vote:	3Ayes - Winkler, Nabors & Szymanski, Nay - 0 Abstain - C. Zetley & Doyle	
74	24253 Special Use	Myra J. Holland, Property Owner Request to occupy the northwest corner of a vacant lot for seasonal secondhand retail sales(outdoor market).	2100 W. North Av. 7th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the chair and will be rescheduled at the next available meeting.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	24263 Special Use	George Noble, Property Owner Request to occupy the premises as a family day care home for 8 children, 6wks-12yrs, from 6 a.m. to 1 a.m., Monday -Sunday.	2134 N. 25th St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the play area is not utilized after 8:00 p.m. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	
76	24282 Special Use	Susan Watkins, Lessee Request to occupy the premises as a 24 hr day care facility for 8 children, newborn-12yrs, Monday-Sunday.	2619 N. 41st St. A/K/A 2617-19 N. 41st St. 7th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
77	24314 Special Use	Eddie Rutledge, Property Owner Request to extend the hours from 6:00 pm to 1:00 am of the existing day care center. Action: Granted 2 yrs. Motion: Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized after 8:00 p.m. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	2835-37 N. 35th St. 7th Dist.
78	24232 Special Use	Emily Lockett, Lessee Request to occupy the premises as a day care facility for 10 children, 6wks-12yrs, Monday-Friday 6:00am-6:00pm. Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy permit and complies with current International Building Code for educational and institutional facilities. 5. That signage is limited painted window signs. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	5316 W. Center St. A/K/A 5316-18 W. Center St. 7th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
79	24106 Use Variance	James W Lyte, Lessee Request to occupy the premises as a personal service facility (barber shop).	2140 N. 27th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
80	24146 Special Use	El Conejo Bus Line, Inc. Gerardo Hernandez;Lessee Request to occupy the premises as a bus station.	2539 W. Greenfield Av. 8th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to Dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 Abstained.	
81	24118 Dimensional Variance	Zeb Mclaurin, Agent TeleCorp Realty, L.L.C.;Lessee Request to occupy a portion of the premises to construct a 130 ft. telecommunications flag pole.	5201 W. Stack Dr. 11th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	--	
84	24222 Special Use	Gail N. & Randy P. Strumberger Asylumwerks Ltd.;Lessee Request to occupy the premises as a recreational facility (haunted house).	2612 S. Greeley St. A/K/A 2625 S. Greeley St. 14th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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Other Business:

Board member Nabors moved to approve the minutes of June 6, 2002. Seconded by Board member Doyle. Unanimously approved.

The Board set the next meeting for August 1, 2002.

Board member Szymanski moved to adjourn the meeting at 8:35 p.m.. Seconded by Board member Nabors. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board